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PTO/SB/21 (09-04)

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1641

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/527,831	<b>RECEIVED</b>  MAR - 6 2006  TECH CENTER 1600/2900
	Filing Date	1/9/2006	
	First Named Inventor	North	
	Art Unit	1641	
Examiner Name			
Total Number of Pages in This Submission	6	Attorney Docket Number	316187

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 6 Foreign Patent Documents and 32 non- patent literature documents
<b>Remarks</b> The Director is hereby authorized to charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.17; credit any overpayments to the Deposit Account No. 06-0029.		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm	FAEGRE & BENSON LLP		
Signature			
Printed Name	Richard A. Nakashima		
Date	2/27/06	Reg. No.	42,023

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Signature	
Typed or printed name	Laura S. Mellblom
Date	2-27-06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TECH CENTER 1600/2800

In the Application of:

KATHRYN NORTH

Application No.: 10/527,831

Examiner: Not Yet Known

Filed: January 9, 2006

Art Unit: 1641

For: GENOTYPE SCREEN FOR ATHLETIC  
PERFORMANCE

INFORMATION DISCLOSURE STATEMENT  
(37 C.F.R. §§ 1.97(b)(3) and 1.98)

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Examiner is requested to consider the references noted on the enclosed Form PTO/SB/08A (Substitute for form 1449A/PTO) during examination of the above-identified application. These references are submitted for the Examiner's consideration and are submitted pursuant to the duty of disclosure under 37 C.F.R. § 1.56. In submitting these references, no representation is made or implied that the references are or are not material to the examination of the application. The Examiner is encouraged to make his or her own determination of materiality.

Pursuant to 37 C.F.R. 1.97(b)(3), no fees are due with respect to this filing. However, should any fees be deemed necessary, such fees may be charged to Deposit Account No. 06-0029.

Should the examiner have any questions concerning the relevance of any reference cited in this disclosure, please contact the undersigned attorney.

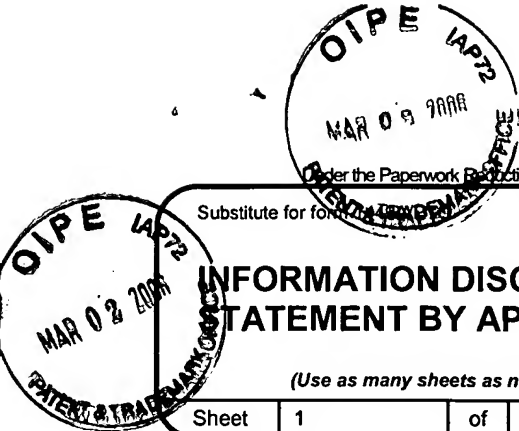
Dated: February 27, 2006

Respectfully submitted,



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Richard A. Nakashima  
Registration No. 42,023  
Customer No. 35657



Substitute for form PTO/SB/08A

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 4

### Complete if Known

Application Number	10/527,831
Filing Date	1/09/2006
First Named Inventor	North
Art Unit	1641
Examiner Name	
Attorney Docket Number	316187

### U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	1	US-801,274	10/10/1905	Schulz	
	2	US- 4,683,202	7/28/1987	Mullis	
	3	US- 4,683,195	7/28/1987	Mullis et al.	
	4	US- 4,800,159	1/24/1989	Mullis et al.	
	5	US- 4,883,750	11/28/1989	Whiteley et al.	
	6	US- 5,206,347	4/27/1993	Ruoslahti et al.	
	7	US- 5,279,721	1/18/1994	Schmid	
	8	US- 5,919,626	7/6/1999	Shi et al.	
	9	US- 5,952,174	9/14/1999	Nikiforov et al.	
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### FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
	10	EP 0320308 B1	11/3/1993	Backman		X
	11	WO 89/09284	10/5/1989	Walder		X
	12	GB 2 202328 A	9/21/1988	Soderlund		X
	13	WO 88/10315	12/29/1988	Gingeras		X
	14	EP 0329822 B1	6/8/1994	Davey		X
	15	WO 89/06700	7/27/89	Miller		X

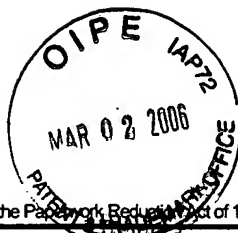
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 4

**Complete if Known**

Application Number	10/527,831
Filing Date	1/9/2006
First Named Inventor	North
Art Unit	1641
Examiner Name	
Attorney Docket Number	316187

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**TECH CENTER 1600/2900****NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	16	BLANCHARD, ANDREW, et al., "The Structure and function of a-actinin," Journal of Muscle Research and Cell Motility 10, 280-289 (1989)	
	17	BEGGS, Alan H., et al., "Cloning and Characterization of Two Human Skeletal Muscle a-Actinin Genes Located on Chromosomes 1 and 11" The Journal of Biological Chemistry, Vol. 267, No. 13, Issue of May 5, pp 9281-9288, 1992	
	18	NAVE, RUDIGER, et al., "Interaction of a-actinin and nebulin in vitro," Elsevier Science Publishers, Vol. 269, No. 1, 163-166, August 1990	
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	20	SALMIKANGAS, PAULA, et al., "Myotilin, a novel sarcomeric protein with two Ig-like domains, is encoded by a candidate gene for limb-girdle muscular dystrophy," Human Molecular Genetics, 1999, Vol. 8, No. 7, pgs. 1329-1336 1999 Oxford University Press	
	21	BELLIN, Robert M., et al., "Molecular characteristics and Interactions of the Intermediate Filament Protein Synemin," The Journal of Biological Chemistry, Vol. 274, No. 41, Issue of October 8, pgs. 29493-29499	
	22	MCGREGOR, ALISTAIR, "Identification of the Vinculin-binding Site in the Cytoskeletal Protein a-actinin" Biochem (1994) 301, pgs. 225-233 (Printed in Great Britain)	
	23	HANCE, Jacqueline, "a-Actinin-2 Is a New Component of the Dystrophin-Glycoprotein Complex" Archihves of Biochemistry and Biophysics, Vol. 365, No. 2, May 15, pgs. 216-222, 1999	
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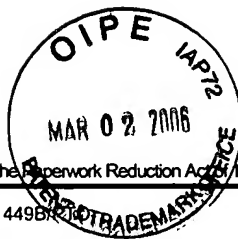
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 3 of 4

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Application Number	10/527,831
Filing Date	1/9/2006
First Named Inventor	North
Art Unit	1641
Examiner Name	
Attorney Docket Number	316187

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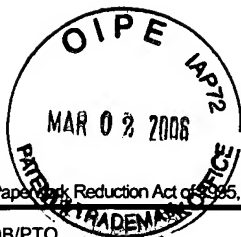
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	27	POMIES, PASCAL, et al., "CRP1, a LIM Domain Protein Implicated in Muscle Differentiation, Interacts with a-Actinin" The Journal of Cell Biology, Volume 139, Number 1, October 6, 1997, pgs. 157-168	
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	34	MONTGOMERY, H. E., et al. "Human Gene for Physical Performance" scientific correspondence Nature Macmillan Publishers Ltd 1998 Vol. 393 May 21, 1998, pgs. 221-222	
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	36	NAZAROV, Igor B., et al. "The angiotensin Converting Enzyme I/D polymorphism in Russian athletes" European Journal of Human Genetics (2001) 9, pgs. 797-801	
	37	WOODS, DAVID, et al., "Elite Swimmers and the D allele of the ACE I/D Polymorphism" Hum Genet (2001) 108, pgs 230-232	

Examiner Signature	Date Considered
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STATEMENT BY APPLICANT**

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Sheet 4 of 4

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Application Number	10/527,831
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Art Unit	1641
Examiner Name	
Attorney Docket Number	316187

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**NON PATENT LITERATURE DOCUMENTS**

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	38	MELTZOFF, A., "Rational Imitation in Preverbal Infants" Nature, Vol. 415, 14 February 2002, pgs. 755-756	
	39	RANKINEN, TUOMO, et al., "The Human Gene Map for Performance and Health-related Fitness Phenotypes: the 2001 update" MSSE Special Report, 0195-9131/02/3408-1219, 2002 by the American College of Sports Medicine	
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	41	MILLS, MICHELLE, et al., "Differential expression of the actin-binding proteins, a-actinin-2 and -3, in different species: implications for the evolution of functional redundancy" Human Molecular Genetics, Vol. 10, No. 13, pgs 1335-1346	
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	43	WALKER, G. TERRANCE, et al., "Isothermal in vitro amplification of DNA by a Restriction enzyme/DNA Polymerase System" Vol. 89, pgs. 392-396, January 1992 Applied Biological Sciences, pgs. 392-396	
	44	KWOH, D. Y., et al., "Transcription-based amplification system and detection of amplified human immunodeficiency virus type 1 with a bead-based sandwich hybridization format" Biochemistry, Proc. Natl. Acad. Sci. USA, Vol. 86, pgs. 1173-1177, February 1989	
	45	OHARA, OSAMU, et al., "One-sided Polymerase Chain Reaction: The amplification of cDNA" Pro. Natl. Acad. Sci. USA, Biochemistry, Vol. 86, pgs. 5673-5677, August 1989	
	46	NORTH, KATHRYN N., et al., "Deficiency of a Skeletal Muscle Isoform of a-Actinin (a-Actinin-3) in Merosin-Positive Congenital Muscular Dystrophy" Neuromusc. Disord., Vol. 6, No. 4, pgs. 229-235, 1996	
	47	FRIDEN, J., et al., "Eccentric Exercise-induced Injuries to Contractile and Cytoskeletal Muscle Fibre components" Acta Physiol Scand 2001, 171, Scandinavian Physiological Society, pgs. 321-326	

Examiner Signature		Date Considered	
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